

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: November 10, 2011

Agenda Item: Non resident take of raptors for falconry

Division:

Enforcement

Action Needed:

☒ **Approval of Proposed (Tentative) Rule** ☐ **Approval of Final Rule/Action**
☐ **Endorse Course of Action** ☐ **None - information only**

Time Needed on Agenda for this Presentation: 15 minutes

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Background (Brief description of the issue, decision to be made, history, etc.): The passage of SB 92 in the 2011 legislature enabled licensed falconers that are non-residents to capture raptors in Montana for the sport of falconry. This legislation was promulgated due to reciprocity clauses in other states laws that only allow non-residents to capture raptors in their state if the residents state reciprocates. Montana now needs regulations in place to provide a structure for the non-resident take system similar to what other states have adopted. That structure includes a quota system by raptor species, a reporting system for take, and a fee for non-resident take.

Public Involvement Process & Results (Brief description of the type of public involvement and summary of what we heard from the public): SB 92 had significant support as it passed both the senate and the house. Public opposition to non-resident take was not expressed at the committee meetings.

Alternatives and Analysis (Brief description of alternative solutions with analysis of the pros and cons of each):

Alternative would be to not require any state control on non-resident take and rather allow unlimited and cost free capture or take of raptors from Montana by non-residents.

Agency Recommendation & Rationale (Brief description of our recommendation to the Commission and the reasons for it):

Recommendation is to establish a system through administrative rule to control the take of raptors from Montana by non-residents. Control would provide safeguards to the raptors that either reside in or pass through Montana on their migrations and to assure that no single species (in particular gyrfalcons) are targeted in Montana in numbers that could significantly affect their population. A quota system and a fee system would provide that control while a final reporting system on take by non-residents would provide ongoing information on the non-resident take program.

Proposed Motion (Draft language the Commission could use to adopt the agency recommendation):

I move the commission propose the amendments and new rule language of the administrative rules regarding falconry.

